

Message Text

CONFIDENTIAL

PAGE 01 STATE 153112

60

ORIGIN EA-14

INFO OCT-01 ADP-00 PM-07 L-03 H-03 NSC-10 CIAE-00 DODE-00

INR-10 NSAE-00 PA-03 RSC-01 USIA-15 PRS-01 OMB-01

/069 R

DRAFTED BY EA/IMS:PCGILL:LRR

8/3/73 EXT 28202

APPROVED BY EA/IMS - THEODORE J.C. HEAVNER

OSD/GC - MR. ALMOND

OSD/ISA - MR. LONG

ISA/EA&P - RADM. BIGLEY

NAVY/OP-61 - CAPT. ARMEL

J-5 - GENERAL CRITTENBERGER

PM/ISO - CAPT. DEWENTER

H - MR. SCHNEE (SUBS)

----- 001871

R 031821Z AUG 73

FM SECSTATE WASHDC

TO AMEMBASSY SINGAPORE

C O N F I D E N T I A L STATE 153112

E.O. 11652: GDS

TAGS: MARR, SN

SUBJ: SINGAPORE SOFA

1. DEPARTMENT OF DEFENSE HAS PROPOSED WE INFORMALLY SOUND OUT THE GOS ON NEGOTIATING A STATUS OF FORCES AGREEMENT TO REGULARIZE THE STATUS OF US MILITARY PERSONNEL IN SINGAPORE.

2. FOLLOWING SUMMARIZES DOD POSITION. RECENT CONSOLIDATION OF DOD ACTIVITIES IN SINGAPORE HAS RAISED QUESTION OF STATUS OF USG PERSONNEL, BOTH MILITARY AND CIVILIAN, ATTACHED TO UNITS OUTSIDE OF EMBASSY. REF B CITES INFORMAL 1968 AGREEMENT WITH GOS WHICH PROVIDES FOR CERTAIN PRIVILEGES. HOWEVER, IT APPEARS IMPORTANT QUESTIONS OF
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 153112

CRIMINAL JURISDICTION AND IMMUNITIES NOT SUBJECT TO FIRM

AGREEMENT WITH GOS. ALTHOUGH RECORD OF RECENT YEARS HAS NOT INDICATED ANY MAJOR PROBLEMS WITH GOS IN THIS AREA, EXPERIENCE IN OTHER COUNTRIES HAS SHOWN THAT EVEN ONE SERIOUS CASE CAN CAUSE DISPROPORTIONATE DAMAGE TO BILATERAL RELATIONS IN ABSENCE SOFA.

3. DOD DESIRES AGREEMENT COVERING AT LEAST MINIMUM OF CRIMINAL JURISDICTION PLUS CURRENT PRIVILEGES EXTENDED UNDER THE 1968 AGREEMENT. FORM OF AGREEMENT COULD BE FLEXIBLE, BUT IT SHOULD BE REDUCED TO WRITING (E.G., AT LEAST AIDE-MEMOIRE) TO PRECLUDE MISUNDERSTANDINGS. REGARDING CRIMINAL JURISDICTION, DOD PROPOSES THAT US HAVE PRIMARY JURISDICTION OVER DUTY-RELATED OFFENSES AND GOS HAVE PRIMARY JURISDICTION OVER OTHER CONCURRENT JURISDICTION OFFENSES. US WOULD DETERMINE WHETHER PARTICULAR OFFENSE WAS IN FACT RELATED TO PERFORMANCE OF DUTY.

4. DOD WOULD BE WILLING TO EXPLORE OTHER MEANS OF ACHIEVING SAME GOAL AS SOFA. FOR EXAMPLE, IF "HOME-BASED" STATUS WOULD PROVIDE SAME BENEFITS, THEN THIS MIGHT BE ALTERNATIVE.

5. DEPARTMENT AND DEFENSE ARE BOTH FULLY COGNIZANT OF PAST HISTORY AND PROBLEMS IN THIS AREA. DEPARTMENT HAS ALREADY EXPRESSED ITS RESERVATIONS TO DOD REGARDING AN APPROACH TO THE GOS ON THIS SUBJECT. WE ANTICIPATE THAT CEDING JURISDICTION OVER DUTY RELATED CRIMINAL OFFENSES WOULD BE COMPLETELY UNACCEPTABLE TO GOS. ALSO, SOFA WOULD LIKELY BE CONSIDERED INCONSISTENT WITH SINGAPORE'S NON-ALIGNED POSTURE, CARRYING IMPLICATION OF CLOSE MILITARY TIES WITH US, INCLUDING BASING OF US FORCES IN SINGAPORE, TO WHICH PRIME MINISTER LEE HAS FREQUENTLY EXPRESSED OPPOSITION. IN VIEW OF LENGTH OF TIME SINCE THIS ISSUE WAS LAST DISCUSSED WITH GOS, AND IN VIEW OF CONGRESSIONAL POLICY FOR MAXIMUM POSSIBLE COVERAGE OF US MILITARY PERSONNEL OVERSEAS, HOWEVER, DOD BELIEVES IT APPROPRIATE NOW TO MAKE APPROACH OUTLINED PARAS. 2,3, AND 4.

6. THEREFORE, REQUEST EMBASSY'S VIEWS AS TO DESIRABILITY OF INFORMALLY SOUNDING OUT GOS ON PROSPECTS OF SOFA ALONG
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 153112

LINES DESCRIBED ABOVE. (YOU SHOULD NOT RPT NOT IN ANY
EVENT DISCUSS MATTER WITH GOS UNTIL FURTHER INSTRUCTED.) ROGERS

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 03 AUG 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973STATE153112
Document Source: CORE
Document Unique ID: 00
Drafter: PCGILL:LRR
Enclosure: n/a
Executive Order: GS HEAVNER
Errors: N/A
Film Number: n/a
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730858/aaaabqur.tel
Line Count: 109
Locator: TEXT ON-LINE
Office: ORIGIN EA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 04 DEC 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <04-Dec-2001 by kelleyw0>; APPROVED <27 FEB 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: SINGAPORE SOFA
TAGS: MARR, SN
To: SINGAPORE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005